

Bureau of Prisons, Justice

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- (d) Federal Medical Center (FMC):
 - (1) FMC Carswell, Texas 76127;
 - (2) FMC Fort Worth, Texas 76119-5996.
- (e) Federal Detention Center (FDC) Oakdale, Louisiana 71463.
- (f) Federal Transportation Center (FTC) Oklahoma City, Oklahoma 73189-8802.

§ 503.7 Bureau of Prisons Western Regional Office.

The Bureau of Prisons Western Regional Office is located at 7950 Dublin Boulevard, 3rd Floor, Dublin, California 94568. The following institutions are located within this region.

- (a) United States Penitentiary (USP) Lompoc, California 93436.
- (b) Federal Correctional Institutions (FCI):
 - (1) FCI Dublin, California 94568;
 - (2) FCI Lompoc, California 93436;
 - (3) FCI Phoenix, Arizona 85027;
 - (4) FCI Safford, Arizona 85548;
 - (5) FCI Sheridan, Oregon 97378-9601;
 - (6) FCI Terminal Island, California 90731;
 - (7) FCI Tucson, Arizona 85706.
- (c) Federal Prison Camps (FPC):
 - (1) FPC Boron, California 93596;
 - (2) FPC Nellis, Nevada 89036-5000.
- (d) Metropolitan Correctional Center (MCC) San Diego, California 92101-6078.
- (e) Metropolitan Detention Center (MDC) Los Angeles, California 90012-1500.
- (f) Federal Detention Center (FDC) SeaTac, Washington 98168.

§ 503.8 Bureau of Prisons Staff Training Centers.

The Bureau of Prisons Staff Training Centers are located at:

- (a) Federal Law Enforcement Training Center, Building 21, Glynco, Georgia 31524;
- (b) Management and Speciality Training Center, 791 Chambers Road, Aurora, Colorado 80011;
- (c) National Legal Training Center, 791 Chambers Road, Aurora, Colorado 80011;
- (d) Food Service and Trust Fund Training Center, c/o FCI, Fort Worth, Texas 76119.

PART 505—COSTS OF INCARCERATION FEE

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AUTHORITY: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006-5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 31 U.S.C. 3717; Pub. L. 102-395, 106 Stat. 1842 (18 U.S.C. 4001 note); 28 CFR 0.95-0.99.

SOURCE: 59 FR 64781, Dec. 15, 1994, unless otherwise noted.

§ 505.1 Purpose and scope.

This part establishes procedures for the assessment and collection of a fee to cover the cost of incarceration. The provisions of this part apply to any person who is convicted in a United States District Court and committed to the custody of the Attorney General, and who begins service of sentence on or after January 1, 1995. For purposes of this part, revocation of parole or supervised release shall be treated as a separate period of incarceration for which a fee may be imposed.

§ 505.2 Fee assessment—annual determination of average cost of incarceration.

(a) The Attorney General is required to collect and establish a fee to cover the cost of confinement which is equivalent to the average cost of one year of incarceration. See 28 CFR 0.96c.

(1) For the fiscal year 1995, the fee to cover the cost of incarceration shall be \$21,352. This figure represents the average cost to the Bureau of Prisons of confining an inmate for one year.

(2) The fee is calculated by dividing the number representing the obligation encountered in Bureau of Prisons facilities (excluding activation costs) by the number of inmate-days incurred for

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preceding fiscal year, and by then multiplying the quotient by 365. See 28 CFR 0.96c.

(b) The Director of the Bureau of Prisons shall review the amount of the fee not less than annually to determine the cost of incarceration. The new figure shall be published as a notice in the FEDERAL REGISTER.

§ 505.3 Calculation of assessment by unit staff.

Bureau of Prisons Unit Team staff shall be responsible for computing the amount of the fee to be paid by each inmate.

(a) Unit Team staff shall rely exclusively on the information contained in the Presentence Investigation Report and findings and orders of the sentencing court in order to determine the extent of an inmate's assets, liabilities and dependents.

(b) The fee shall be assessed in accordance with the following formula: If an inmate's assets are equal to or less than the poverty level, as established by the United States Department of Health and Human Services and published annually in the FEDERAL REGISTER, no fee is to be imposed. If an inmate's assets are above the poverty level, Unit Team staff shall impose a fee equal to the inmate's assets above the poverty level up to the average cost to the Bureau of Prisons of confining an inmate for one year.

§ 505.4 Inmates exempted from fee assessment.

A fee otherwise required by this part may not be collected from an inmate with respect to whom a fine was imposed or waived by a United States District Court pursuant to section 5E1.2 (f) and (i) of the United States Sentencing Guidelines or any successor provisions.

§ 505.5 Inmates subject to prorated fee assessment.

For any inmate committed to the custody of the Attorney General for a period of less than 334 days (including pretrial custody time), the maximum fee to be imposed shall be computed by prorating on a monthly basis the average cost for one year of confinement.

28 CFR Ch. V (7-1-99 Edition)

§ 505.6 Waiver of fee by Warden.

The Warden may reduce or waive the fee if the person under confinement establishes that:

(a) He or she is not able and, even with the use of a reasonable installment schedule, is not likely to become able to pay all or part of the fee, or

(b) Imposition of a fee would unduly burden the defendant's dependents.

§ 505.7 Procedures for payment.

Fees imposed pursuant to this part are due and payable 15 days after notice of the Unit Team actions. Fees shall be included in the Inmate Financial Responsibility Program under the category "other federal government obligations", and shall be paid before other financial obligations included in that same category. Fees not paid within 15 days may result in interest charges.

§ 505.8 Procedures for appeal.

An inmate may appeal the Warden's decision not to grant a waiver or the Unit Team's calculation through the Administrative Remedy Procedure (see part 542 of this chapter) and may submit information to demonstrate substantial hardship.

§ 505.9 Procedures for final disposition.

Before the inmate completes his or her sentence, Unit Team staff shall review the status of the inmate's fee and any unpaid amount will be referred for collection in accordance with Federal Claims Collection Standards (4 CFR chapter II).

PART 511—GENERAL MANAGEMENT POLICY

Subpart A [Reserved]

Subpart B—Searching and Detaining or Arresting Persons Other Than Inmates

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